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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/757,556

Applicant(s)

ABOUJAUDE ET AL.

Examiner

THOMAS MANSFIELD

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-20 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-20, and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Final Office action is in reply to the applicant amendment filed on 28 January 2010.
2. Claim 1 has been amended.
3. Claims 1-9, 11-20, and 22 are currently pending and have been examined.

Response to Amendment

4. In the previous office action, Claims 1-9 and 11 were rejected under 35 USC 101 as being directed to non-statutory subject matter. Independent Claim 1 has been nominally amended to recite a processor and the rejection is **withdrawn**.
5. For the previous office action, Applicants have pointed out a typographical error for the publishing date of the secondary reference of Bansal et al. The Examiner thanks the Applicants for noting the error and has corrected the typographical error.

Response to Arguments

6. Applicants' arguments filed 28 January 2010 have been fully considered but they are not persuasive.
7. Applicants submit that Campbell et al (Campbell) (U.S. 6,871,193) in view of Bansal et al. (Bansal) (U.S. Pub. No. 2003/0120593) does not teach or suggest in broadly recited and amended Claim 1: (1) *an enterprise function, for providing a common customer identifier (CCI) for users associated with a plurality of business channels of a plurality of enterprises, wherein said enterprise function associates a CCI associated with each enterprise to each user accessing said unified portal, wherein said CCI provides an indicium of priority for servicing an enterprise customer* [see Remarks page 7, last paragraph through page 11]; (2) "the user is associated with a CCI number and is used to identify a user with a particular enterprise", and, "the CCI is used to provide priority to customers that have higher priority ratings, and the CCI enables providing different levels of priority to customers and therefore provide different services for customers that have higher priority ratings", and further, "The CCI as taught by Applicants advantageously enables the

service provider to provide the appropriate level of service by simply using the CCI without the need for further requirement on the user" [see Remarks all of page 9 through page 11].

8. With regard to argument (1), the Examiner respectfully disagrees. As broadly and reasonably interpreted, Campbell teaches *an enterprise function* (Bundles 112 may provide various types of functionality, an authentication bundle 138 provides authentication functions by supporting the determination and verification of the identity of user) (see at least column 10, lines 222-36), *for providing a common customer identifier (CCI)* (passwords, smart cards, magnetic stripe cards, fingerprints, retinal scans, and other suitable biometric, knowledge and/or item based authentication schemes, access control list (ACL), unique identifier) (see at least column 11, lines 24-54 and column 17, lines 64-66) *for users* (one or more users 36) *associated with a plurality of business channels* (utility services that consumer services 141 can access) *of a plurality of enterprises* (Authorized third party bundles 140) (see at least column 11, lines 55-66), *wherein said enterprise function associates a CCI associated with each enterprise to each user accessing said unified portal* (Portal-page bundle 132 provides a user interface to user 36 at customer premises 12 to allow the user to interact with bundles 140) (see at least column 10, lines 57-61).

It was indicated by the Examiner in the previous office action that Campbell generally teaches *wherein said CCI provides an indicium of priority for servicing an enterprise customer* (Authorization may be at a high level, where access is granted or denied to gateway 30, or at a low level, where access granted or denied for a specific service) (see at least column 18, lines 51-66). However, as broadly and reasonably interpreted, Bansal was cited as teaching the broadly recited limitation of *wherein said CCI provides an indicium of priority for servicing an enterprise customer* (Provision to prioritize the message processing, having varying levels of resource demands and prioritization) in analogous art of centralized portal architecture for the purposes of, "Messaging Service", "Provision for prioritizing the processing of messages in the message queue" (see at least paragraphs 641-646, 721-728, and 869-871). Additionally, Bansal teaches, "The authentication, authorization and single sign-on component provides the facilities for verifying the identity of a given entity, determining what system applications and services within system 10 a given entity is entitled to access (prioritization), and coordinating authentication and authorization across all application systems" (see at least paragraphs 473-482).

9. With regard to argument (2), these specific limitations are not specifically recited in the claims. Applicants' argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "the user is associated with a CCI number and is used to identify a user with a particular enterprise", and, "the CCI is used to provide priority to customers that have higher priority ratings, and the CCI enables providing different levels of priority to customers and therefore provide different services for customers that have higher priority ratings", and further, "The CCI as taught by Applicants advantageously enables the service provider to provide the appropriate level of service by simply using the CCI without the need for further requirement on the user") are not specifically recited in the rejected claim. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
11. Claims 1-9, 11-20, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Campbell et al (Campbell) (U.S. 6,871,193) in view of Bansal et al. (Bansal) (U.S. Pub. No. 2003/0120593).

With regard to Claims 1 and 12, Campbell teaches *a unified shared business application system and method (a gateway for providing consumer services)* (see at least column 1, line 40 through column 2 line 19), *comprising:*

- *a unified portal (gateway, portal server 16) for authenticating (authentication service) and authorizing user preferences and restrictions (authorize a user associated with the gateway)* (see at least column 1, lines 56-65 and column 5, lines 39-43);
- *an enterprise function (Bundles 112 may provide various types of functionality, an authentication bundle 138) (see at least column 10, lines 222-36), for providing a common customer identifier (CCI) (access control list (ACL), unique identifier) (see at least column 11, lines 24-54 and column 17, lines 64-66) for users (one or more users 36) associated with a plurality of business channels (utility services that consumer services 141 can access) of a plurality of enterprises (Authorized third party bundles 140) (see at least column 11, lines 55-66), wherein said enterprise function associates a CCI associated with each enterprise to each user accessing said unified portal (Portal-page bundle 132 provides a user interface to user 36 at customer premises 12 to allow the user to interact with bundles 140) (see at least column 10, lines 57-61);*
- *an integrated business applications system (Application-Programmer-Interface bundle 135) for integrating a plurality of business applications across products and services (comprise software modules that define functionality in utility services that consumer services 141 can access) to produce integrated business applications (providing services to, or requesting services from bundles 112 which are inside partition 114) to authorized user selections of at least one business application from said unified portal (authorized third party bundles 140 may include functionality for controlling devices 36 when the devices are light switches, climate controls) (see at least column 11, line 55 through column 12, line 13);*
- *a database warehouse (Database 42) for storing information associated with said business channels of said plurality of enterprises, each user, and said products and services, wherein at least one of: said unified portal, said enterprise function module, said integrated business applications system or said database warehouse is implemented via a processor (see at least column 6, lines 18-24, lines 59-65, column 11, lines 30-33);*

Campbell generally teaches *wherein said CCI provides an indicium of priority for servicing an enterprise customer* (Authorization may be at a high level, where access is granted or denied to gateway 30, or at a low level, where access granted or denied for a specific service) (see at least column 18, lines 51-66). Bansal teaches *wherein said CCI provides an indicium of priority for servicing an enterprise customer* (determining what system applications and services within system 10 a given entity is entitled to access, Provision to prioritize the message processing, having varying levels of resource demands and prioritization) in analogous are of centralized portal architecture for the purposes of, "Messaging Service", "Provision for prioritizing the processing of messages in the message queue" (see at least paragraphs 473-482, 641-646, 721-728, and 869-871).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the centralized portal architecture as taught by Bansal with the consumer services method of Campbell. One of ordinary skill in the art would have been motivated to do so for the benefit of having entitlement, priority or an importance for a message in a queue or varying levels of resource demand (Bansal, paragraphs 473-482, 641-646, 721-728, and 869-871).

With regard to Claims 2 and 13, Campbell teaches *wherein said enterprise function associates a plurality of sub-enterprise entities associated with said user* (stock trading capabilities, home automation system, grocery store) (see at least column 9, lines 26-37).

With regard to Claims 3 and 14, Campbell teaches *wherein said plurality of business channels comprise at least one of a customer channel* (consumer services 141, utility services), *a sales channel* (to place a time-sensitive stock purchase) (see at least column 8, lines 7-12), *an alliances channel* (External network interface 106), or *an internal operations channel* (Internal network interface 104, Bluetooth interface) (see at least column 8, lines 47-65).

With regard to Claims 4 and 15, Campbell teaches *wherein said plurality of business applications comprises an ordering application* (bundles 112 may provide the ability to order groceries) (see at least column 9, lines 30-35), *a maintenance application* (maintenance bundle 137), and *a billing application* (billing bundle 134) (see at least column 10, lines 22-36).

With regard to Claims 5 and 16, Campbell teaches *wherein each of said plurality of business applications are integrated across products and technologies associated with said users of said business channels* (provides a user interface, to allow the user to interact wit bundles 140) (see at least column 10, lines 57-61).

With regard to Claims 6 and 17, Campbell teaches *wherein said database warehouse comprises a virtual unified database* (Operating system layer **124** comprises an operating system operable to support Java virtual machine layer **122** and OSGi layer **120** on the hardware used) (see at least column 9, lines 23-25) and is *updated based on actions taken by said plurality of business applications in response to said user selections* (provisioning bundle **130** may retrieve utility bundles, authorized third party bundles **140** and updates to bundles **112** from portal server **16** using web server **44**) (see at least column 10, lines 37-56).

With regard to Claims 7 and 18, Campbell teaches *wherein said CCI is associated with at least one master customer number (MCN)* (generate a unique value based on the characteristics of a particular bundle **112**), *where each of said at least one MCN is associated with a business sub-entity of said enterprise* (a company may further identify a particular bundle **112** by applying further cryptographic transformations to the unique value associated with the company) (see at least column 10, lines 4-18).

With regard to Claims 8 and 19, Campbell teaches *wherein said plurality of business applications* (Profile service **176**) *utilize said MCN to retrieve information* (retrieve and store profile information) *from said database warehouse* (in database **42** at portal server **176**) (see at least column 13, lines 43-55).

With regard to Claims 9 and 20, Campbell teaches *wherein said unified portal is a host for accessing said plurality of business applications* (Portal-page bundle 132 provides a user interface to user 36 at customer premises 12 to allow the user to interact with bundles 140) (see at least column 10, lines 57-61).

With regard to Claims 11 and 22, Campbell does not specifically teach *wherein said unified portal comprises an interface for providing graphical and textual information*. Bansal teaches *wherein said unified portal comprises an interface for providing graphical and textual information* (graphical interface) in analogous art of a centralized portal architecture for the purposes of, "Content" is considered to be information created in text, graphical, video, animation or other forms which is targeted to distribution using web technologies" (see at least paragraphs 171 and 531-540).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the centralized portal architecture as taught by Bansal with the consumer services method of Campbell. One of ordinary skill in the art would have been motivated to do so for the benefit of content and asset management (Bansal, paragraphs 171 and 531-540).

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

13. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:
- Varble (U.S. 7,444,306) discloses a method and apparatus for the rental or sale, and secure distribution of digital content.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THOMAS MANSFIELD whose telephone number is (571)270-1904. The examiner can normally be reached on Monday-Thursday 8:30 am-6 pm, alt. Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boswell Beth can be reached on 571-272-6737. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. M./
Examiner, Art Unit 3624

May 8, 2010
Thomas Mansfield

/Beth V. Boswell/
Supervisory Patent Examiner, Art Unit 3623